

Appl. No. 09/932,557
Amdt. Date August 3, 2004
Reply to Office Action of October 6, 2003

REMARKS/ARGUMENTS

This response is intended as a full and complete response to the Office Action mailed October 6, 2003 in the above-captioned application.

Claims 1-5 and 7-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over BLANCHARD (1,096,991) in view of FADDIS (5,266,275). Reconsideration is respectfully requested. It is believed that the claims remaining in the application are patentably distinguishable over the cited references for the reasons hereinafter set forth.

As noted by the Examiner, BLANCHARD discloses an ozonizing and sterilizing apparatus. The apparatus of BLANCHARD includes a lower compartment 6 and an upper compartment 7 having its top closed by a removable cover 4. Dielectric plates 15 stacked on the bottom of the upper compartment 7 form the ozonizer of the apparatus. A receptacle 28 mounted on top of the dielectric plates 15 forms the sterilizing chamber of the apparatus. Air delivered by a blower 9 is circulated through the receptacle 28 and over the top thereof through the dielectric plates 15 where it is converted into ozone and then back into the receptacle to effect sterilization of articles disposed therein. The upper compartment is air tight when the cover 4 is placed on the apparatus. The circulation and ozonizing of the air is continued as long as the apparatus is operating, thus using the same air over and over so that it is successively ozonized by its passage through the ozonizer 15 (column 4, line 115 - column 5, line 14). BLANCHARD, however, fails to teach, show or suggest an ozone generator having: (1) a housing containing first and second enclosed compartments wherein

the first compartment includes access means for permitting a user's hands and forearms to be inserted into the first compartment; (2) an ozone generating means housed in a second compartment. BLANCHARD discloses that the ozone generating plates 15 are housed in the upper compartment 7; (3) a conduit having one end connected to an outlet of the ozone generating means and an opposite end opening into the first compartment; (4) means for controlling the operation of the ozone generating means; and (5) means for automatically activating an ozone generating means upon insertion of a user's hands and forearms into the first compartment.

The Examiner proposes to overcome the deficiencies of BLANCHARD by combining it with the disclosure of FADDIS. It is respectfully submitted that FADDIS, like BLANCHARD, fails to teach, show or suggest items (1) - (5) set forth above and therefore FADDIS adds nothing to the disclosure of BLANCHARD to support the grounds of rejection. The Examiner notes that BLANCHARD fails to disclose means for controlling the operation of and means for automatically activating the ozone generating means, but asserts that FADDIS provides these teachings. However, FADDIS merely discloses the use of sensors 54 and 56 in the primary and secondary chambers 35 and 18 to sense the absence of humidified sterilization agent in both of the chambers before the chamber lid 24 will be released for removal of the primary sterilization chamber 35. FADDIS provides no teaching of automatically activating an ozone generating means upon insertion of a user's hands and forearms into a sterilization chamber. It is respectfully submitted therefor that the rejection of claims 1-5 and 7-9 under 35 USC 103(a) as being unpatentable over BLANCHARD in view of FADDIS is not proper and it is requested that it be withdrawn.

Claim 6 stands rejected under 35 USC 103(a) as being unpatentable over BLANCHARD in view of FADDIS and further in view of MCKNIGHT (4,156,653). For the reasons set forth above,

it is believed that the combination of BLANCHARD in view of FADDIS. fails to teach, show or suggest the Applicant's invention as claimed in amended claims 1-5 and 7-9. Consequently, claims depending therefrom are also in condition for allowance.

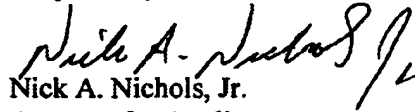
New claims 17-19 are presented herein for consideration. Claims 17 and 18 depend from claim 1 which is believed to be in condition for allowance. Claim 19 incorporates the subject matter of claim 10 which has been indicated that such subject matter would be allowable. Consequently, it is believed that claims 17-19 are in condition for allowance.

The citation of the prior art made of record and not relied upon is noted. However, it is believed that the prior art not relied upon is no more pertinent than the applied references, and therefore a detailed discussion of the prior art not relied upon is not deemed necessary for a full and complete response to the outstanding office action.

In view of the Examiner's earlier restriction requirement, applicant retains the right to present claims 11 through 16 in a divisional application or take such other appropriate measures as he deems necessary to protect the non-elected invention.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted, .



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